

Form PTO-1390		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER P26318
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/516292	
INTERNATIONAL APPLICATION NO. PCT/JP03/07121	INTERNATIONAL FILING DATE 05 June 2003	PRIORITY DATE CLAIMED 10 June 2002	
TITLE OF INVENTION MEDICAMENT FOR TREATMENT OF CANCER			
APPLICANT(S) FOR DO/EO/US Susumu MUTO, and Akiko ITAI			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.			
<ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input checked="" type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (23) indicated below. <input checked="" type="checkbox"/> The US has been elected (PCT Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input checked="" type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <input checked="" type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154 (d) (4). <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) "Unexecuted" <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 			
Items 11 to 16 below concern other document(s) or information included:			
<ol style="list-style-type: none"> 11. Assignee: <u>INSTITUTE OF MEDICINAL MOLECULAR DESIGN, INC., of Tokyo, Japan</u> 12. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 13. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 14. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 15. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. 1.76. 16. <input type="checkbox"/> A substitute specification. 17. <input type="checkbox"/> A power of attorney and/or change of address letter. 18. <input type="checkbox"/> Figure of Drawing to be published. 19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825. 20. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154 (d) (4). 21. <input type="checkbox"/> A second copy of the English language translation of the international of the international application under 35 U.S.C. 154 (d) (4). 22. <input checked="" type="checkbox"/> Other items or information: Cover Letter under 35 U.S.C. 371 and 37 C.F.R. 1.495. International Application as published in Japanese. International Application as filed in Japanese. PCT/RO/101 PCT Request and Fee Calculation Sheet (in Japanese). PCT/ISA/210 International Search Report (in English and Japanese). PCT/IPEA/408 (in Japanese). PCT/IPEA/409 International Preliminary Examination Report (in Japanese). PCT/IB/301. PCT/IB/304. PCT/IB/308. PCT/IB/332. Claim of Priority. 			

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/516292	INTERNATIONAL APPLICATION NO. PGT/JP03/07121	ATTORNEY'S DOCKET NUMBER P26318	
23 <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search report has been prepared by the EPO or JPO.....\$ 950.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33 (1)-(4)\$ 750.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$ 790.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$1,110.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$ 100.00		CALCULATIONS	PTO USE ONLY
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$ 950.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 0.00	
Claims	Number Filed	Number Extra	Rate
Total Claims	11 - 20 =	0	x \$18.00 \$ 0.00
Independent Claims	1 - 3 =	0	x \$88.00 \$ 0.00
Multiple Dependent Claim(s) (if applicable)		+ 300.00	\$ 0.00
TOTAL OF ABOVE CALCULATIONS =		\$ 950.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by $\frac{1}{2}$.		\$ 0.00	
SUBTOTAL =		\$ 950.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).		\$ 0.00	
Extension of Time fee in the amount of \$		\$ 0.00	
TOTAL NATIONAL FEE =		\$ 950.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		\$ 0.00	
TOTAL FEES ENCLOSED =		\$ 950.00	
		Amount to be refunded	\$
		Charged	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$950.00</u> to cover the above fees is included.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.</p> <p>c. <input checked="" type="checkbox"/> The U.S. Patent and Trademark Office is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0089</u>.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>e. <input checked="" type="checkbox"/> Charge any additional fee required under 37 C.F.R. 1.16 and 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136(a)(3)).</p>			
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO CUSTOMER NO. 7055 AT THE PRESENT ADDRESS OF:</p> <p>Bruce H. Bernstein GREENBLUM & BERNSTEIN, P.L.C. 1950 Roland Clark Place Reston, VA 20191 (703) 716-1191</p>			
 SIGNATURE <u>Reg. No. 33, 329</u> Bruce H. Bernstein NAME <u>29.027</u> REGISTRATION NUMBER			

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Susumu MUTO et al.

Appl. No: : Not Yet Assigned (U.S. National Phase of PCT/JP03/07121)

Filed : Concurrently Herewith (I.A. Filed June 5, 2003)

For : MEDICAMENT FOR TREATMENT OF CANCER

**COVER LETTER ACCOMPANYING U.S. NATIONAL STAGE PATENT
APPLICATION FILED UNDER 35 U.S.C. 371 AND 37 C.F.R. 1.495**

Mail Stop PCT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a new National Stage patent application for filing in the U.S. Patent and Trademark Office under 35 U.S.C. 371 and 37 C.F.R. 1.495. The Declaration and Power of Attorney attached thereto are in unexecuted form. A properly executed Declaration and Power of Attorney of the International Application as filed, will be filed within the period of time set in a Notification to be mailed by the United States Patent and Trademark Office.

Related to the above, this application should be associated with Customer Number 7055, which includes the present correspondence address as follows:

GREENBLUM & BERNSTEIN P.L.C.
1950 Roland Clarke Place
Reston, VA 20191

If there are any questions pertaining to this National Stage Application, please contact the undersigned.

Respectfully submitted,
Susumu MUTO et al.


Bruce H. Bernstein
Reg. No. 29,027

Reg. No.
33,329

December 8, 2004
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Susumu MUTO et al.

Appl. No: : Not Yet Assigned (U.S. National Phase of PCT/JP03/07121) **PCT Branch**

Filed : Concurrently Herewith (I.A. Filed June 5, 2003)

For : MEDICAMENT FOR TREATMENT OF CANCER

CLAIM OF PRIORITY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby claims the right of priority granted pursuant to 35 U.S.C. 119 and 365 based upon Japanese Application No. 2002-168332, filed June 10, 2002. The International Bureau already should have sent a certified copy of the Japanese application to the United Stated designated office. If the certified copy has not arrived, please contact the undersigned.

Respectfully submitted,
Susumu MUTO et al.

Leslie A. Bernstein Reg. No. 33,329
Bruce H. Bernstein
Reg. No. 29,027

December 8, 2004
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